TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE Transcriber's Office FLOOR DEBATE

March 20, 2001 LB 89, 90, 827

I've given you two handouts. If you care to look at them and follow along, I think it might...it might help a little bit understand the concepts. First of all, there's a white sheet that says "Significant Provisions". LB 827 authorizes state agencies and political subdivisions to sell or offer for lease overbuilt, excess fiberoptic capacity. As I mentioned just a few minutes ago, if extra fiber lays there, dark fiber, we're authorizing these political subdivisions to either sell that or to lease it, and I'll go into the terms of that in a couple It does, however, prohibit state agencies and political subdivisions from competing with private companies in the provision of telecommunications services. It clearly states that they cannot be a carrier; they cannot be a provider certificated by the Public Service Commission. They can help provide infrastructure through a sale or a lease, but they themselves cannot be a telecommunications provider or a telephone company. Thirdly, it directs that any generated by the lease of the excess dark fiber by the agency or the political subdivision would be deposited in the Nebraska Internet Enhancement Fund and, because in this industry all they have are acronyms, I'm going to call that NIEF (pronounced knife) for ease, and so into the NIEF fund. Now, that fund is there for counties and municipalities to apply for assistance if they wish to help provide additional infrastructure in their particular community. The applicants could utilize any funds received from the Enhancement Fund to subsidize the provision of high-speed Internet service within the community by a...handout says bona fide, I would say by an approved carrier, by a certificated telecommunications, video or an Internet service provider, an ISP, strictly a company that provides Internet service. Last major point, it amends...and this comes...these last couple of points are borrowed, to some extent, out of Senator Wickersham's LB 89 and LB 90 that he introduced and which were heard in our committee the same day as LB 827. It amends the Local Option Municipal Economic Development Act, which is in the statutes, to clarify and specify that a telecommunications company which provides advanced telecommunications service is a qualified business for purposes of receiving support under the act. This would...this would clearly allow a local city or a municipality to use their economic development funds and authority, sales tax revenue or